

DENNIS J. HERRERA, State Bar #139669
City Attorney
JOANNE HOEPER, State Bar #114961
Chief Trial Attorney
SEAN F. CONNOLLY, State Bar # 152235
Deputy City Attorneys
Fox Plaza
1390 Market Street, 6th Floor
San Francisco, California 94102-5408
Telephone: (415) 554-3863
Facsimile: (415) 554-3837
E-Mail: sean.connolly@sfgov.org

Attorneys for Defendants
CITY AND COUNTY OF SAN FRANCISCO, ET AL.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SHAWN MYERS and SARAH MYERS,

Plaintiffs,

vs.

CITY AND COUNTY OF SAN
FRANCISCO, a municipal corporation; et al.

Defendants.

Case No. C08-1163 MEJ

**ADMINISTRATIVE MOTION AND
STIPULATION FOR ORDER
EXTENDING TIME TO FILE JOINT
UNDISPUTED STATEMENT OF FACT
AND DISPOSITIVE MOTION;
STIPULATION BY THE PARTIES;
AND [~~PROPOSED~~] ORDER**

[Local Rule 7-11]

Pursuant to Local Rule 7-11, Defendants, based on stipulation, hereby move the Court for an order extending time to file their joint statement of undisputed fact, and any dispositive motions. As outlined below, the parties have been meeting and conferring pursuant to this Court's March 2, 2012 Order, and have been diligently working toward a joint statement for use in defendants' motion for partial summary judgment and plaintiffs' opposition thereto.

Dated: March 27, 2012

DENNIS J. HERRERA
City Attorney
JOANNE HOEPER
Chief Trial Deputy
SEAN F. CONNOLLY
Deputy City Attorneys

By: s/Sean F. Connolly

SEAN F. CONNOLLY
Deputy City Attorney

Attorneys for Defendants CITY AND COUNTY OF
SAN FRANCISCO, et al.

STIPULATION OF COUNSEL

THE UNDERSIGNED COUNSEL HEREBY STIPULATE:

1. On March 2, 2012, the court issued an order denying defendants' motion for summary judgment, without prejudice, and ordered defendants to include a joint statement of undisputed fact with any future motion, consistent with the Court's standing order. The Order also requested the parties meet and confer in that regard.

2. Between March 7, 2012, and March 16, 2012, the parties met and conferred in efforts to narrow the issues of actual contention.

3. From March 16, 2012, through today, the parties have met and conferred, on nearly a daily basis, in an attempt to reach agreement on a joint statement of undisputed fact. Presently, the parties are working on their third draft of an undisputed statement of fact, which includes approximately 170 separate facts, and supporting citations.

4. Because this lawsuit arises out of a particularly fact intensive transaction, the process of meeting and conferring to agree on a joint statement of undisputed fact and a joint statement of undisputed testimony is time intensive and laborious.

1 5. While the parties have made progress toward a joint statement, they need more time to
2 accomplish this task.

3 6. Because of the particularly busy litigation schedules of the parties, the parties
4 respectfully request Defendants' deadline by which they may refile a motion for partial summary
5 judgment on the same claims, or on fewer claims, be extended until May 9, 2012

6 **IT IS SO STIPULATED.**

7 Dated: March 27, 2011

DENNIS J. HERRERA
City Attorney
JOANNE HOEPER
Chief Trial Deputy
SEAN F. CONNOLLY
WARREN METLITZKY
Deputy City Attorneys

11 By: _____/S/
12 SEAN F. CONNOLLY
13 Deputy City Attorney

14 Attorneys for Defendants CITY AND COUNTY OF
15 SAN FRANCISCO, et al.

16 Dated: March 27, 2011

FREITAS, MCCARTY, MACMAHON AND KEATING, LLP

17 By: _____/S/
18 CHRISTIAN KEMOS, ESQ.

19 Attorneys for Plaintiffs
20 SHAWN MYERS and SARAH MYERS
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PROPOSED ORDER

BASED ON STIPULATION, AND FOR GOOD CAUSE SHOWN, IT IS SO ORDERED:

Defendants' deadline by which they may refile a motion for partial summary judgment on the same claims, or on fewer claims, is extended until May 9, 2012. Any motion must comply with this Court's Standing Order and include a joint statement of undisputed facts.

Dated: March 28, 2012



THE HONORABLE MARIA ELENA JAMES
UNITED STATES MAGISTRATE JUDGE